



EXPRESS MAIL NO. EV336597606US

PTO/SB/01A (10-00).

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	METHOD OF MAKING A MEMBRANE ELECTRODE ASSEMBLY FOR ELECTROCHEMICAL FUEL CELLS
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

The attached application, or
 Application No. 10/601,275, filed on June 20, 2003,
 as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one:	Siyu Ye	Citizen of:	Canada
Signature:		Date:	July 22, 2003
Inventor two:	Paul Beattie	Citizen of:	Great Britain
Signature:		Date:	AUGUST 6 TH , 2003
Inventor three:	Todd E. Wilke	Citizen of:	US
Signature:		Date:	22 July 2003
Inventor four:	Shannon R. Hodgson	Citizen of:	Canada
Signature:		Date:	July 22, 2003

Additional inventors are being named on _____ additional form(s) attached hereto.

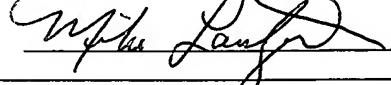
Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****ADDITIONAL INVENTOR(S)
Supplemental Sheet****Page 2 of 2****FULL NAME OF INVENTOR(S)**

Inventor five: Kyoung Bai Citizen of: Canada

Signature:  Date: July 28, 2003

Inventor six: Michael V. Lauritzen Citizen of: Canada

Signature:  Date: July 25, 2003

Inventor seven: _____ Citizen of: _____

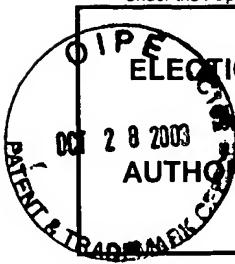
Signature: _____ Date: _____

Inventor eight: _____ Citizen of: _____

Signature: _____ Date: _____

 Additional inventors are being named on _____ additional form(s) attached hereto.

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Application Number	10/601,275
Filing Date	June 20, 2003
First Name Inventor	Siyu Ye
Group Art Unit	
Examiner Name	
Attorney Docket Number	130109.502

I hereby appoint:

 Practitioners at Customer Number

* 00500*
00500

OR

 Practitioner(s) named below:

PATENT TRADEMARK OFFICE

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

 The above-mentioned Customer Number.

OR

 Firm or Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

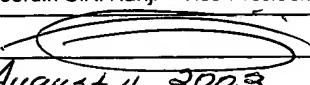
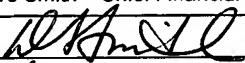
I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

 As assignee of record of the entire interest hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor

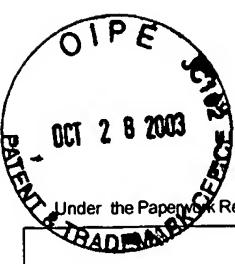
SIGNATURE of Applicant or Assignee of Record

Name	Noordin S.K. Nanji – Vice-President, Corporate Strategy & Development
Signature	
Date	August 11, 2003
Name	Dave Smith – Chief Financial Officer
Signature	
Date	August 11, 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

 *Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Siyu Y et al.

Application No./Patent No.: 10/601,275 Filed/Issue Date: June 20, 2003

Entitled: **METHOD OF MAKING A MEMBRANE ELECTRODE ASSEMBLY FOR
ELECTROCHEMICAL FUEL CELLS**

Ballard Power Systems Inc.

(Name of Assignee)

a Corporation

(Type of Assignee, e.g., corporation, partnership,
university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at
Reel , Frame , or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the
current assignee as shown below:

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

August 11, 2003

Date

Noordin S.K. Nanji

Typed or printed name

Signature

Vice-President, Corporate Strategy &
Development

Title

August 11, 2003

Date

Dave Smith

Typed or printed name

Signature

Chief Financial Officer

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: D:\130109.502\397919_1.DOC

COPY**ASSIGNMENT**

WHEREAS, we,

Name	Post Office Address	
Siyu Ye	5683 Oakland Street, Burnaby, British Columbia, CANADA V5H 1S2	;
Paul Beattie	1119 Barberry Place, Port Moody, British Columbia, CANADA V3H 3Y6	;
Todd E. Wilke	6680 Wellington Avenue, West Vancouver, British Columbia, CANADA V7W 2H9	;
Shannon R. Hodgson	1399 Laburnum Street, Vancouver, British Columbia, CANADA V6J 3W4	;
Kyoung Bai	2468 McLeary Crescent, Cranbrook, British Columbia, CANADA V1C 5Y4	; and
Michael V. Lauritzen	7630 Halifax Street - #1507, Burnaby, British Columbia, CANADA V5A 1M4	,

(hereinafter referred to as ASSIGNORS), having post office addresses as listed above next to our names, are the joint inventors of an invention entitled

**METHOD OF MAKING A MEMBRANE ELECTRODE
ASSEMBLY FOR ELECTROCHEMICAL FUEL CELLS**

as described and claimed in the specification for which an application for United States letters patent was filed on June 20, 2003, and assigned Application No. 10/601,275;

WHEREAS, Ballard Power Systems Inc. (hereinafter referred to as ASSIGNEE), a Canadian corporation having a place of business at 4343 North Fraser Way, Burnaby, British Columbia, Canada V5J 5J9, is desirous of acquiring the entire right, title and interest in and to said invention, this application, and any Letters Patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said

ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

July 22, 2003

Siyu Ye

Province of British Columbia)
)
Country of Canada)

ss.

I certify that I know or have satisfactory evidence that Siyu Ye is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated

July 22, 2003

Signature of
Notary Public

Printed Name

My appointment does not expire

August 6TH, 2003

Date

P.D. Beattie

Paul Beattie

Province of British Columbia)
)
Country of Canada)

ss.

I certify that I know or have satisfactory evidence that Paul Beattie is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 06 Aug 03

Signature of
Notary Public C Hill

Printed Name KERRY B. HILLIER

My appointment does not expire

22 July 2003

Date

Todd E. Wilke

Todd E. Wilke

Province of British Columbia)
)
Country of Canada)

ss.

I certify that I know or have satisfactory evidence that Todd E. Wilke is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated July 22, 2003

Signature of
Notary Public Victor Tuomi

Printed Name Victor Tuomi

My appointment does not expire

July 22, 2003

Date

S. Hodgson

Shannon R. Hodgson

Province of British Columbia)

ss.

Country of Canada)

I certify that I know or have satisfactory evidence that Shannon R. Hodgson is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated

July 22, 2003

Signature of

Notary Public

Printed Name

My appointment does not expire

Date

July 28, 2003Kyoung Bai

Province of British Columbia)

ss.

Country of Canada)

I certify that I know or have satisfactory evidence that Kyoung Bai is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

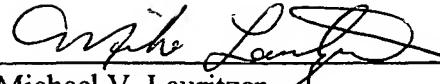
Dated

July 28, 2003Signature of
Notary Public

Printed Name

My appointment does not expire

July 25, 2003
Date


Michael V. Lauritzen

Province of British Columbia)
)
Country of Canada)
)
 ss.

I certify that I know or have satisfactory evidence that Michael V. Lauritzen is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 25 JULY 2003

Signature of
Notary Public 

Printed Name DANYA J ROTHE

My appointment does not expire